

**REMARKS**

Reconsideration and allowance of the subject application are respectfully requested.

The Examiner has not yet acknowledged the Information Disclosure Statement filed on February 20, 2004. Applicant respectfully requests that the Examiner provide an initialed copy of the PTO-1449 form.

A certified copy of the Norwegian priority document will be filed shortly.

Acknowledgement of receipt of same is requested.

Claim 60 stands objected to as being improper because of an improper dependency.

Claim 60 has been amended to depend from claim 52. Withdrawal of this objection and entry of this amendment are respectfully requested.

Applicant notes with appreciation the Examiner's withdrawal of the previous prior art rejection. However, claims 52-55, 57, 59, 60, and 68-76 now stand rejected under 35 U.S.C. §103 as being unpatentable over newly-cited, "Engineering Modelling Concepts (DPE Architecture) Version 2.0" to Tina-C Deliverable, (hereafter Tina-C), in view of U.S. Patent 5,517,677 to Moon. This rejection is respectfully traversed.

The Examiner states Tina-C "teaches an arrangement for simplifying the design and implementation of mobile services in a communications system," referring to pages 5-9/5-10. Applicant respectfully disagrees. Where does Tina-C teach simplifying the design and implementation of mobile communication services? The text in lines 5-9 and 5-10 relates to service and user session managers and describes processing a new video conference service session request (see Figure 5-5). There is no teaching here of mobile services.

The Examiner then goes on to admit that Tina-C fails to disclose:

means for supporting mobile radio terminal mobility transparency such that an application program being executed at a mobile radio terminal located in one radio service area serviced via one radio base station is not interpreted or hindered in its execution when the mobile radio terminal moves to another radio service area serviced via another radio base station.

For these deficiencies, the Examiner turns to the Moon patent which relates to mobile radios scanning various channels in a trunked radio system to determine if an incoming call is directed to that radio. See column 1, lines 42-45. The problem to which Moon is directed is the large number of home channel scanings that a trunked mobile radio must perform in multisystem areas. The mobile radio must scan the home channel of each authorized system and compare various identification codes to determine if an incoming call is intended for the mobile radio. See column 2, lines 15-23 as well as column 3, lines 24-31. Moon uses an adaptive queue embedded in the scanning sequence in which entries are continually updated based upon a metric that is shown by past history to be more often used by this mobile radio than other sequence entries. See column 3, lines 51-57. This adaptive queue is particularly helpful when the mobile radio is roaming between different geographical areas, as is explained in column 8, lines 29-38, referenced by the Examiner.

Mobility has been supported for roaming mobile terminals in trunked radio systems and in conventional cellular radio systems for quite some time. Moon's adaptive scanning technique, which facilitates such roaming, does not describe or support mobile radio terminal mobility transparency in a distributed processing environment. Claim 52 is not simply directed to supporting mobile radio terminal mobility as it appears the Examiner is suggesting. To the contrary, claim 52 recites supporting mobile terminal:

mobility transparency in the DPE such that an application program being executed at a mobile terminal located in one radio service

area serviced via one radio base station is not interpreted or hindered in its execution when the mobile radio terminal moves to another radio service area serviced via another radio base station.

There is simply no teaching of a distributed processing environment in Moon.

Nor is it clear how a trunked radio, adaptive scanning technique for use in a roaming mobile terminal would be employed in a distributed process environment with support mobility transparency. First, the foundation of mobility support is in the DPE network and not in a mobile terminal. Moon's scanning is performed in the terminal—not in the network. Second, Moon does not detail a particular roaming scheme for supporting mobility transparency even in a centralized processing environment. The particulars of how mobility is accomplished are not disclosed. Third, the hand-over and roaming mechanisms that might be used in a mobility scheme in Moon are presumably centralized rather than distributed.

The Examiner suggests that Moon's mobile radio scanning could be combined with Tina-C because it would improve the Tina-C system "by providing enhanced roaming feature of mobile radios and telephone." But, Tina-C does not disclose any roaming feature, and therefore, there is nothing to be enhanced. There also is no teaching in Moon or Tina-C of supporting any kind of mobility transparency in a distributed processing environment. Nor do they described how such mobility transparency would be implemented in a distributed data processing environment.

The Federal Circuit prohibits:

rejecting patents solely by finding prior art corollaries for the claimed elements [because this] would permit an Examiner to use the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention.

*In re Rouffet*, 149 F.3d 1350, 1357 (Fed. Cir. 1998). Such an approach would be "an illogical and inappropriate process by which to determine patentability." *Sensonics, Inc. v. Aerosonic Corp.* 81 F.3d 1566, 1570 (Fed. Cir. 1996). Yet, this is the very approach that the Examiner is taking in an attempt to combine Moon with Tina-C. There is no motivation to combine them absent the motivation of trying to reject the instant claims. The *Rouffet* Court stated, "the Examiner must show reasons that the skilled artisan, confronted with the same problems as the inventor and no knowledge of the claimed invention, would select the elements from the prior art references for the combination in the mannered claimed." *In re Rouffet*, 149 F.3d at 1357. The Examiner has not shown where either Tina-C or Moon recognized or confronted the same problem as the inventor—namely, how to provide mobility transparency in a distributed processing environment.

Indeed, in November 1997, the inventor delivered a paper at a TINA-C Conference in Chile entitled, "Terminal Mobility Support in TINA-C." That article demonstrated that the TINA-C architecture does not support mobile terminal mobility. See, for example, the Abstract of this article which states "as shown in [1] Access and Location transparencies defined for Open Distributed Processing (ODP), and TINA-C are insufficient to support terminal mobility since interoperability between DPE platforms is not guaranteed at all times" (emphasis added). Neither Tina-C nor Moon disclose any solution to this inoperability between DPE platforms which would be necessary to support roaming and terminal mobility.

Thus, the rejection of independent claim 54 is inappropriate and should be withdrawn. There are also many dependent claim features which are not disclosed or suggested in Tina-C or Moon. For example, Applicant has been unable to locate where in Tina-C computational objects

are mapped to engineering objects "so as to be non-visible in a computational model of the application program."

Regarding claim 57, Applicant is unable to locate in the text referred by the Examiner where the claimed interaction between computational objects is described or where communication is effected between those objects "through a channel including stubs, binders, and protocols."

In paragraphs 13 and 14 of the Office Action, the Examiner refers to "Chapman." Presumably the Examiner is referring to Tina-C. Clarification is requested.

Regarding claim 68, page 5-5 of Tina-C describes an object in a group creating another object via interaction with the group manager, which is not the same thing as a proxy object acting on behalf of an entity.


Regarding claim 69, there is no mention on page 5-5 of invoking a mobility function operation. Nor is there any description of a symmetrical consultation on page 5-4 with respect to claim 70. Where in page 5-4 is an object is represented by multiple objects?

The application is in condition for allowance. An early notice to that effect is earnestly solicited.

DO  
Appl. No. 09/412,334  
September 7, 2004

Respectfully submitted,

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